

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Raymond DiPerna (reg. no. 44063) on 10/14/10.
3. **The application has been amended as followed:**

Claims 1, 4-6, 9, 12-14, 17, 20-22 previously presented as filed on 8/30/10.

Claims 7, 15, and 23 have been cancelled.

Allowable Subject Matter

4. **Claims 1, 4-6, 9, 12-14, 17 and 20-22 are allowed.**
5. The following is an examiner's statement of reasons for allowance:

In interpreting the currently amended claims, in light of the specification, the Examiner finds the claimed invention to be patentably distinct from the prior art of records.

Nomura et al. (US 20030081595) discloses a router in a network routes an input packet based on a destination address of the packet. The router, upon reception of a packet regarding a connection between a server and a client, determines whether or not to grant a connection to the server based on a set of criteria. If determined that a connection is possible, a message is transmitted for reserving bandwidth between two routers which are used for relaying packets between the client and the server. (**see abstract, [0014-0020].**)

Kochanski (US 20030187746) discloses content on the World Wide Web is made available for downloading by distributing it to cache providers. The content provider is a distinct entity from the cache providers and enters into contractual arrangements in order to benefit from the services provided by the cache providers. The contractual arrangements specify certain rights in cache resources that are bought and sold as commodities, exemplarily through a broker or exchange. An exemplary such right is the right to a stated amount of bandwidth, in a stated time interval, for servicing download requests. Responsive to such contractual arrangements, a redirective element such as a DNS server is programmed to redirect, to one or more

cache providers, download requests initially addressed to the content provider. (**see abstract, [0009-0015]**).

Koshino (US 20020065035) discloses the contents distribution station includes channel allocation unit which judges whether the number of contents reception stations receiving a certain contents is large or small. When the number is large, a broadcast channel is allocated to a reception station newly making a request for distribution of contents. When the number is small, an occupied channel is allocated to the reception station newly making a request for distribution of contents (**see abstract, [0009-0012]**).

Pei et al. (US 20080052748) discloses a channel merging method for a VOD system, said method comprises the steps of: in response to requests from a plurality of clients for a video program, establishing a root channel (S1) and at least one sub-channel (S11), said root channel (S1) being established according to a request from a client that makes the earliest request, each of said sub-channels (S11) being established in response to a request from a client that makes a later request; and monitoring variation of the number of the clients that are using each of said established channels, and maintaining the channel if the number of the clients using the monitored channel is not zero, and closing the channel if the number of the clients using the monitored channel becomes zero (**see abstract, [0015-0017]**).

Nishikado et al. (7130912) discloses a service system in which a server offers a service in response to a request from a client. The system can offer the stable service even in the case of an access from the client and also can offer a preferential service under certain conditions. The request from the client to the server is carried out via a data communication forwarding apparatus, the apparatus has a unit for queuing the request with a priority and has a unit for changing the forwarding sequence of the request according to the priority. Thereby the number of simultaneous requests to the server can be suppressed to within the processing ability of the server with the stable service. Further, the request can be preferentially processed according to the user, transaction, wait time, etc (see abstract, [col. 1. line 49- col. 6 line 27]).

Kohno et al. (20050262258) discloses a video delivery apparatus for delivering a video stream with a property according to a request from a client. The video delivery apparatus includes reception means for receiving a delivery request from one client, first estimation means for estimating a current processing load by calculating a sum total of the processing loads for other clients connected to deliver a video stream upon reception of the delivery request from the one client, second estimation means for estimating a processing load upon delivering the video stream to the one client according to the delivery request, and delivery control means for performing the delivery control of the video stream on the basis of at least one of the current processing load estimated by the first estimation means and the processing load upon delivering the

video stream to the one client according to the delivery request, which is estimated by the second estimation means (**see abstract, [0011-0013]**).

Yokota et al. (US 20050102427) discloses a proxy server for storing contents data extracted from a contents packet received from a stream server as cache data of stream contents into a cache file and transferring the received packet to a contents requester after rewriting the address of the received packet, having a function for requesting the stream server to stop providing service of the stream contents and requesting another proxy server to transfer the remaining portion of the stream contents (**see abstract, [0016-0025]**).

Mochida et al. (US 20040019749) discloses in a resource request arbitration apparatus according to the present invention, a request masking unit masks a memory access request REQ that is issued by a resource requesting device at over a minimum frequency needed for the resource requesting device, and an arbitrating unit acknowledges one of the memory access requests RREQ that are not suspended by the request masking unit, based on a predetermined static order of priority. With this resource request arbitration apparatus, the arbitrating unit do not have to concern anything other than the predetermined priority order among the memory access requesting units, and an easy and plain arbitration system based on the static priority order ensures the minimum frequency for acknowledging the resource requests that each memory access requesting unit needs (**see abstract, [0021-0025]**).

Wong et al. (US 7274712) discloses a router stores a value that indicates the maximum number of channels that can be output to a group, and the number of channels that are output to the group. When a member of the group indicates a channel change selection from a first channel to a second channel, the router drops the first channel before outputting the second channel when the maximum number of channels and the number of channels are equal (see abstract, [col. 4 lines 38-67]).

Eichstaedt et al. (US 6662230) discloses method for automatically limiting access of a client computer to data objects accessed through a server computer dynamically prevents robots or webcrawlers from obtaining too much of the server database and from dramatically reducing server performance. The method includes the steps of receiving a request for a data object, recording a log entry for the request, calculating client request values, and refusing the request if a client request value exceeds one of a set of corresponding predefined maximum request values. Each log entry contains a client identifier, timestamp, and at least one data object identifier for the request. The client request values preferably include a request frequency, which is compared with a predefined maximum request frequency, and a cumulative data request, which is compared with a data access threshold. If the client is refused access, the client identifier is added to a deny list, and future requests from the client are automatically denied. The calculated cumulative data request may be for a single client, or it may be for all clients, in order to detect a robot that is divided among multiple

client identifiers. The cumulative data request check may consider the total percentage of server resources being given away, or a pattern in the requests. Also provided is a data protection system containing a log file, a request analyzer, and a dynamically-generated deny list. Requests to the server are intercepted and sent to the data protection system first (see abstract, [col. 3 line 42 – col. 4 line 62]).

However, the prior art of records fail to teach or suggest individually or in combination a computer-implemented distribution request management method, comprising:

setting a maximum number of distributable requests arbitrarily for requests from a mobile communication network performing wireless communication with mobile terminal devices to one or plural content providing servers provided on another communication network, taking into account an amount of data that is able to be distributed by the mobile communication network, said requests being made for distribution of signals including data of contents; and

sending said signal distribution requests to said content providing servers as long as a number of said requests is not larger than said maximum number,

wherein a reserved number is set arbitrarily to be not larger than said maximum number, and a space for requests for distribution of signals including data of each of one or plural specific contents is held to correspond to said reserved number, and

wherein an upper limit reserved number not smaller than said reserved number is set arbitrarily to be not larger than said maximum number for each of said specific contents, and requests for distribution of signals including data of said specific contents, the number of which requests is larger than said reserved number and not larger than said upper limit reserved number, are sent to said content providing servers as long as the number of said signal distribution requests is within a range of a number obtained by subtracting said reserved numbers assigned for said specific contents from said maximum number,

said method further comprising receiving data showing a bit rate of the content included in a response to the distribution request and preventing distribution of the signals including data of the content when the data showing the bit rate is out of an arbitrarily defined range, as set forth in independent claim 1.

Claims 1, 4-6, 9, 12-14, 17 and 20-22 are allowed because of the combination of other limitations and the limitations listed above.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID YI whose telephone number is (571) 270-7519.

The examiner can normally be reached on Mon-Fri 7:30am-5pm, Alternating Fri off

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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